

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE ALFREDO SOTO,

Defendant.

Case No. 2:20-cr-00003-APG-EJY

ORDER

Before the Court is the Stipulation to Continue Evidentiary Hearing (ECF No. 99). Based on the parties' stipulation, denial of this request for continuance could result in a miscarriage of justice. The additional time requested is excludable in computing the time within which the trial must commence under the Speedy Trial Act (18 U.S.C. §§ 3161(h)(1)(A) and 3161(h)(7)(A)) considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

The ends of justice served by granting this continuance outweigh the best interest of the public and Defendant in a speedy trial. Failure to grant a continuance would be likely to result in a miscarriage of justice and would deny the parties sufficient time, and opportunity, to be able to effectively and thoroughly prepare for trial taking into account the exercise of due diligence. The continuance is excludable under the Speedy Trial Act.

I HEREBY ORDER that the calendar call currently scheduled for September 21, 2021, before U.S. District Judge Andrew P. Gordon, is vacated and continued to February 22, 2022 at 8:45 a.m. The trial currently scheduled for September 27, 2021, before District Judge Gordon is vacated and continued to February 28, 2022 at 9:00 a.m. in courtroom 6C. The motion to suppress evidence currently scheduled for September 2, 2021 before U.S. Magistrate Judge Elayna J. Youchah is vacated and continued to December 7, 2021 at 9:30 a.m. in courtroom 3B.

Dated this 1st day of September, 2021.


ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE